

**The Philadelphia Parking Authority  
701 Market Street, Suite 5400  
Philadelphia, PA 19106**

**RFP No. 24-26  
Bond Counsel and Disclosure Counsel  
Addendum Two**

To: See Email Distribution List

From: Shannon Stewart  
Manager of Contract Administration

Date: September 19, 2024

No Pages: 2

This addendum is issued on September 19, 2024, prior to the proposal due date to add, delete, modify, clarify and/or to respond to questions submitted by Prospective Offerors regarding the work included in the above referenced solicitation.

**QUESTIONS**

- 1. Question:** Regarding II-3 Qualifications and Experience, “Advise if your firm is currently providing bond counsel and/or disclosure counsel services to any other governmental agency in Philadelphia. Provide a list of clients serviced in the past 3 years in order to permit the Authority to determine if a conflict of interest exists. This list must contain the company name, address, dates of representation and general subject matter regarding the representation.” Are you requesting a list of clients in the past 3 years of the public finance group at Dilworth or the entire firm? If neither, please clarify.

**Response: Please refer to page 8 of the RFP document - Section II-3. Qualifications and Experience (Tab B).**

- 2. Question:** Can we provide the list of the firm’s relevant bond/disclosure counsel transactions requested in Tab B as an appendix? The list will likely be too long for the 1-2 page count.

**Response: Please provide the requested information within the required format. Please refer to page 11 of the RFP document – Part III: Criteria for Selection.**

- **15% of scoring will be based on the Offers ability to respond to the submission requirements set forth in the RFP and page count.**

- 3. Question:** In Tab B, is the list of clients we serviced in the last three years a separate list from the list of governmental agencies in Philadelphia for which we’re currently providing bond and/or disclosure counsel services? In other words, should that list include governmental agencies located outside of Philadelphia?

**Response: Please respond to Section II-3. Qualifications and Experience (Tab B) in its entirety within the required page count. Please refer to page 11 of the RFP document – Part III: Criteria for Selection.**

- **15% of scoring will be based on the Offers ability to respond to the submission requirements set forth in the RFP and page count.**
- **30% of the scoring will be based on the Offers ability to provide its qualifications and experience with regard to the Work Statement outlined in the RFP.**

4. **Question:** Regarding Company's insurance coverage as outlined in the General Insurance Requirements section, a waiver of subrogation is not available on Company's Professional Liability Insurance policy since such coverage is for legal malpractice. A waiver of subrogation is permitted under Company's General Liability, Automobile, and Workers' Compensation/Employers' Liability policies. Primary status and additional insured status are only available under Company's General Liability and Automobile policies. Company's primary Professional Liability insurer is not currently rated by A.M. Best but has a Fitch rating of "A" (Strong, stable outlook). Company does not own any automobiles; therefore, Automobile Liability is for hired and non-owned vehicles only. Can this requirement be waived for professional liability?

**Response: Yes, this requirement has been waived.**

5. **Question:** Regarding broad form contractual liability, Company's General Liability policy affirms it will respond to a covered loss caused by Company's negligence; Company meets all other General Liability requirements. Company's insurers will only provide notice as stated in the policy, but Company agrees to provide 30 days' advance notice of any material change or reduction in coverage. Regarding the Indemnity provision, and in order to avoid any issues with our Professional Liability carrier, indemnification obligations shall only arise from third party claims relating to the Firm's negligence, errors, or omissions, subject to the PPA providing prompt written notice. Will our proposal be deemed non-responsive if we include our response to the Indemnity provision above?

**Response: No, the proposal will not be deemed non-responsive. Any proposed changes or exceptions to the sample contract must be identified in Tab H of your proposal. Proposed changes to the sample contract will be considered by the evaluation committee during scoring as described in III-4 of the RFP document.**

**END OF ADDENDUM TWO**